

## **REMARKS**

In response to the above-identified Office Action, the Applicants respectfully request reconsideration in view of the following remarks. No claims have been cancelled or added. Claims 1, 24 and 30 are amended. Accordingly, claims 1-4, 6, 11, 16, 17 and 24-34 remain pending in the application.

### **I. Examiner Interview**

Applicant's attorney and Examiner exchanged phone messages on August 13, 2007 in regard to the support in the provisional application corresponding to the cited reference U.S. Application Publication No. 2004/0107439 Hassell. Applicant's attorney noted that the provisional application did not appear to have any support for the sections of Hassell that were cited and relied upon by the Examiner. The Examiner reviewed the provisional and stated that he agreed that no such report was found. The Examiner further suggested that a response noting this lack of support be submitted. Applicants submit this response in light of the Examiner's suggestion.

### **II. Claims Rejection Under 35 U.S.C. § 112**

Claims 1-4, 6, 11 and 30-34 stand rejected as allegedly being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner has labeled the language "aid in determining" as unclear. The Applicant has amended this claim language to address the issue raised by the Examiner. Accordingly, reconsideration and withdrawal of the indefiniteness rejection of claims 1 and 30 and their dependent claims are requested.

### **III. Claims Rejected Under 35 U.S.C. §§102 and 103**

Claims 1-4, 6, 11, 16, 17 and 24-34 stand rejected under 35 U.S.C. §§ 102 and 103 as being anticipated by Hassell and obvious over Hassell in view of U.S. Patent No. 5,797,126 issued to Helbling and U.S. Patent No. 5,897,670 issued to Walker. In light of the discussion above in the interview summary, Applicants note that the primary reference Hassell does not have support in the provisional application. In which priority is relied upon to antedate the current application. The remaining references do not teach or suggest the elements for which the Examiner relied upon Hassell. Accordingly, reconsideration and withdrawal of the obviousness and anticipation rejections of claims 1-4, 6, 11, 16, 17 and 24-34 are requested.

CONCLUSION

In view of the forgoing, it is believed that all claims now pending are in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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